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ATTORNEY DOCKET NO. 129843.1022
Customer No. 60148

1

TRANSMITTAL LETTER
Serial No. 09/970,389

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Express Mail Certificate Under 37 C.F.R. § 1.10
"EXPRESS MAIL" MAILING LABEL NUMBER: EL 994557262 US
DATE OF DEPOSIT: December 28, 2006

I, Stella E. Laicer, hereby certify that this paper (along with any papers and fees referred to as being attached or enclosed or actually enclosed) is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above, with sufficient postage, and is addressed as follows:

MAIL STOP Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Signature of person mailing paper

In re Application of: Donald J. Merkley et al.
Serial No.: 09/970,389
Filing Date: October 2, 2001
Group Art Unit: 1731
Examiner: Mark Halpern
For: Method and Apparatus for Reducing Impurities in Cellulose Fibers for Manufacture of Fiber Reinforced Cement Composite Materials

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF AMENDMENT AND RESPONSE
TO OFFICE ACTION MAILED SEPTEMBER 28, 2006

ATTORNEY DOCKET NO. 129843.1022
Customer No. 60148

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TRANSMITTAL LETTER
Serial No. 09/970,389

Dear Sir:

Enclosed are:

- a postcard acknowledgment of receipt of papers by the Patent Office;
- this Transmittal Sheet (3 pgs.);
- Amendment and response to Office Action mailed September 28, 2006 (13 pgs.);

Please return the acknowledgment postcard.

						LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	
Total Claims	24	Minus	67	0	\$50=	\$0	
Independent Claims	4	Minus	6	0	\$200=	\$0	
						TOTAL ADDIT. FEE	\$0

No fees are believed to be due at this time. To the extent that any further fees, whatsoever, are required at any time during prosecution of this application, including petition and extension fees, the Commissioner is hereby authorized to charge payment of any additional fees, including any under 37 C.F.R. § 1.16 or 37 C.F.R. § 1.17, to Deposit Account No. 07-0153 of Gardere Wynne Sewell LLP (Dallas) and reference Attorney Docket No. 129843.1022. Please credit any overpayments to this same Deposit Account.

Please direct all correspondence to the practitioner listed below at Customer No. 60148.

Respectfully submitted,

Monique A. Vander Molen
Monique A. Vander Molen
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ATTORNEY/AGENT FOR APPLICANT
December 28, 2006

Attorney No. HARD1.015A (129843-1022)
Customer No. 60148

AMENDMENT AND RESPONSE
APPLICATION NO. 09/970,389

1



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COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

Stella E. Laicer

Signature of person mailing paper

Stella E. Laicer

Printed name of person mailing paper

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AMENDMENT

Dear Sir:

Applicants submit this Amendment and respectfully requests entry and consideration of the remarks provided with this paper.

This Amendment is filed in reply to an Office Action mailed September 28, 2006, that established a three-month shortened statutory time period to respond. Applicants submit that this response is timely filed.

In response to the Office Action, please reconsider the above-identified Application as provided in

Amendments to the Specification that begin on page 3;

Amendments to the Claims that begin on page 5;

Remarks that begin on page 9; and

Conclusion begins on page 12 of this paper.